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RUEHBY/AMEMBASSY CANBERRA PRIORITY 2413
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C O N F I D E N T I A L SECTION 01 OF 02 KUALA LUMPUR 001563

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E.O. 12958: DECL: 10/24/2017

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SUBJECT: MALAYSIA SUPPORTS BURMA'S FULL PARTICIPATION AT
ASEAN SUMMIT; U.S. SANCTIONS DEMARCHE DELIVERED

REF: STATE 146862 - U.S. SANCTIONS AGAINST BURMA

Classified By: Political Section Chief Mark D. Clark for reasons 1.4 (b
and d).

¶1. (C) Summary: Malaysia appears satisfied that Gambari is making some progress, and consequently Malaysia is not prepared to support a high-pressured ASEAN approach to Burma at the upcoming summit, per our October 24 meeting with a senior Foreign Ministry official to deliver the demarche on the latest U.S. sanctions (reftel). Measures like excluding or downgrading Burma's summit participation received no traction in our discussion. We would have a better chance of bringing Malaysia along as part of a broader approach using senior Washington engagement to foster a realistic but meaningful ASEAN-wide position at the November Summit. End Summary.

¶2. (C) Polchief delivered reftel demarche on strengthened U.S. sanctions against the Burmese regime to the Foreign Ministry's Southeast Asia and South Pacific Division chief Rahimi Harun on October 24. Polchief urged strong Malaysian and ASEAN action to build on momentum from recent tough Malaysian statements on Burma and in support of UN special advisor Gambari's mission. Polchief asked about new measures under consideration by Malaysia and ASEAN.

¶3. (C) Rahimi replied that Malaysia's approach would continue to focus on full support for Gambari, who "is making progress." The Burmese regime had responded positively so far, and Rahimi understood from New York that Burma had just agreed to Gambari's return prior to the November 18-21 ASEAN Summit, as urged by Malaysia, the U.S. and others. Rahimi saw this latest news, if confirmed, as another sign that international pressure has had a positive effect. The Burmese regime appeared "comfortable" and willing to work with Gambari. In contrast, Rahimi recalled Burma's unwillingness to engage with Foreign Minister Hamid in his role as ASEAN special envoy in March 2006. The appointment of other envoys or an ASEAN contact group would confuse the Burmese generals and complicate Gambari's efforts, and Malaysia did not support these ideas.

¶4. (C) ASEAN leaders certainly would address Burma in a critical fashion during the upcoming ASEAN Summit but the extent of Burma's positive cooperation with the Gambari missions should be taken into account, Rahimi stated in response to polchief's queries. Malaysia believed that Burma should be represented at a senior level at the ASEAN Summit, and should not be excluded from events. Malaysia expected

and supported Burma's signature of the ASEAN Charter, if indeed ASEAN as a whole was ready for this step. (Note: Rahimi added that several countries other than Burma may not be ready to sign the Charter by the time of the Summit, and he named Thailand in particular. End Note.) In addition, Malaysia and other ASEAN members would continue their bilateral technical assistance projects with Burma; ending these would be counterproductive, Rahimi concluded.

15. (C) Polchief noted the risk that the Burmese generals provide positive gestures in the run-up to the ASEAN Summit to diffuse criticism in the region without taking meaningful steps toward genuine dialogue on transition to civilian rule, such as releasing political prisoners. Rahimi acknowledged this possibility, and Polchief then offered that mechanisms to continue or increase ASEAN pressure remained critical. Polchief also asked Rahimi whether ASEAN's strong statements had increased ASEAN's relevance or had made an impact on China's position. Rahimi would not speculate on either point other than noting that China is driven by its own interests in Burma.

16. (C) Comment: Rahimi, who has accurately represented Malaysia's Burma policy in the past, indicated no Malaysian support for a high-pressured ASEAN approach to Burma at the upcoming summit that would involve more than critical statements by ASEAN leaders. The ideas of excluding or downgrading Burma's summit participation, postponing Burma's signature of the Charter, and appointing an ASEAN envoy had no traction in our meeting. Malaysia will not be out in front on such measures, particularly if the Burmese regime continues to interact with Gambari, and we believe bilateral approaches have little chance of strengthening Malaysia's

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stance on Burma at this point. Instead, we would have a better chance of bringing Malaysia along as part of a broader approach using senior Washington engagement to foster a realistic but meaningful ASEAN position at the November Summit. We believe that such an ASEAN position -- at a minimum -- could signal clearly that Burma's "normal" participation in ASEAN is not possible without real progress by the regime on political dialogue and human rights.
KEITH